

**MR. SPEAKER:** Your procedural **Rules Committee** (Rep. Carlson, Chairman) recommends that the House and Joint Rules of the 62<sup>nd</sup> Legislative Assembly, as adopted on Wednesday, December 8, 2010, be amended as follows for the extraordinary session of the 62<sup>nd</sup> Legislative Assembly:

1       **SECTION 1. AMENDMENT.** Subsection 4 of House Rule 318 is amended as follows:

2       4.   The following questions require a two-thirds vote of the members-elect of the House:

3           a.   Initiated and referred measures amended or repealed within seven years after  
4               enactment or approval, as provided in Section 8, Article III, of the Constitution  
5               and House Rule 339.

6           b.   Emergency clauses, as provided in Section 13, Article IV, of the Constitution.

7           c.   Vetoed measures, reconsideration, as provided in Section 9, Article V, of the  
8               Constitution.

9           d.   Adoption of propositions of a divided question if the division would require a  
10              two-thirds vote of the members-elect, as provided in House Rule 319.

11          e.   To recede before a conference in a case where two-thirds governs, as provided  
12              in Joint Rule 202.

13          f.   ~~Second reading same day as report, as provided in House Rule 337.~~

14          g.   ~~Reconsideration after the next legislative day, as provided in House Rule 347.~~

15          h. g.   Reconsideration after a clincher motion, as provided in House Rule 348.

16          i. h.   Suspension of requirement that copies of amendments be distributed before  
17              acted on, as provided in House Rule 601.

18          j. i.   Amendment, reconsideration, or suspension of a joint rule, as provided in Joint  
19              Rule 105.

20       **SECTION 2. AMENDMENT.** House Rule 337 is amended as follows:

21       **337. Second reading.** No bill requiring the approval of the Governor, no resolution  
22       proposing a change in the Constitution of North Dakota, and no resolution ratifying an  
23       amendment to the Constitution of the United States may be referred, except in the case of a bill  
24       or resolution that is prefiled pursuant to House Rule 401, or amended until it has been read; nor  
25       may any such bill or resolution have its second reading and final passage until at least one day  
26       after it has been reported to the House by the committee to which it was referred, provided that

1 any such bill or resolution may have its second reading and final passage on the same day it is  
2 reported back when so ordered by two thirds of the members-elect of the House its first reading.

3 **SECTION 3. AMENDMENT.** House Rule 346 is amended as follows:

4 **346. Transmittal of measure to Senate - Notice of intention to reconsider.**

- 5 1. After the second reading of a bill or resolution, the Chief Clerk shall ~~retain the bill or~~  
6 ~~resolution until the end of the next legislative day, unless the bill or resolution has~~  
7 ~~previously been disposed of.~~
- 8 2. ~~On the thirty-eighth and thirty-ninth legislative days and after the fifty-ninth legislative~~  
9 ~~day, the Chief Clerk shall transmit the bill or resolution to the Senate immediately upon~~  
10 ~~adjournment of that day's session unless action on the bill or resolution is pending as~~  
11 ~~the result of the House passing a motion to reconsider or unless the Majority or~~  
12 ~~Minority Leader has given notice of intention to move the reconsideration of that bill or~~  
13 ~~resolution.~~
- 14 3. ~~After the sixty-eighth legislative day, the Chief Clerk shall transmit the bill or resolution~~  
15 ~~to the Senate immediately after the second reading of the bill or resolution unless the~~  
16 ~~Majority or Minority Leader has given notice of intention to move the reconsideration of~~  
17 ~~that bill or resolution.~~
- 18 4.2. When a member in explaining the member's vote states to the House that the  
19 member's vote is for the purpose of reconsideration, that statement also is notice of  
20 such intention.
- 21 5. ~~If notice is given by a member other than the Majority or Minority Leader but the~~  
22 ~~motion to reconsider is not made before the end of the next legislative day, the Chief~~  
23 ~~Clerk shall transmit the bill or resolution to the Senate at the end of that next legislative~~  
24 ~~day.~~
- 25 3. If notice of intention to move reconsideration is given, the Chief Clerk shall retain the  
26 bill or resolution until adjournment of that day's session.

27 **SECTION 4. AMENDMENT.** Subsection 1 of House Rule 401 is amended as follows:

- 28 1. Any bill or resolution that conforms to statutory requirements and these rules, ~~within~~  
29 ~~the number and time prescribed,~~ may be introduced by any member, standing  
30 committee, or the Legislative Management, by filing the bill or resolution with the Chief  
31 Clerk, who shall number consecutively each bill or resolution.

1       **SECTION 5. AMENDMENT.** Subsections 1 and 3 of House Rule 402 are amended as  
2 follows:

- 3       1. ~~No member other than the Majority and Minority Leaders may introduce more than five~~  
4 ~~bills as prime sponsor after the fifth legislative day. No bill may be introduced after the~~  
5 ~~tenth legislative day, and no resolution, except those resolutions described in~~  
6 ~~subsection 3, may be introduced after the eighteenth legislative day, except upon~~  
7 ~~approval of the Legislative Management or a majority of the Delayed Bills Committee~~  
8 ~~or upon two-thirds vote of the members of the House present and voting.~~
- 9       3. No bill introduced at the request of an executive agency or the Supreme Court may be  
10 introduced ~~after the close of business on the day after the adjournment of the~~  
11 ~~organizational session, except upon approval of a majority of the Delayed Bills~~  
12 ~~Committee.~~

13       **SECTION 6. AMENDMENT.** House Rule 403 is amended as follows:

14       **403. Delayed bills and resolutions.** The Delayed Bills Committee shall receive from the  
15 Chief Clerk every bill and resolution offered for introduction ~~after the time for introduction as~~  
16 ~~limited by House Rule 402, and, on the same or the next legislative day after receiving the~~  
17 ~~measure, shall inform the House whether the introduction of the measure has been approved. If~~  
18 ~~a majority of the committee favors introduction, the sponsor may introduce the measure. Each~~  
19 ~~measure approved for introduction must bear the name or names of the sponsor or sponsors~~  
20 ~~and must note the approval of the Delayed Bills Committee.~~

21       **SECTION 7. AMENDMENT.** House Rule 504 is amended as follows:

22       **504. Committee meetings.**

- 23       1. ~~The Appropriations Committee meets on Monday, Tuesday, Wednesday, Thursday,~~  
24 ~~and Friday of each week.~~
- 25       2. ~~The three day committees meet on Monday, Tuesday, and Wednesday of each week.~~
- 26       3. ~~The two day committees meet on Thursday and Friday of each week.~~
- 27       4. ~~Any committee that meets on Wednesday and which has a member who is also a~~  
28 ~~member of the Constitutional Revision Committee may not take any substantive action~~  
29 ~~during the time the Constitutional Revision Committee meets.~~
- 30       5. The chairman of any committee, or a majority of that committee, may call meetings at  
31 times and on other days as deemed necessary.

1     ~~6. The Constitutional Revision Committee meets on Wednesday of each week at 3:00-~~  
2     ~~p.m. in the Prairie Room or at the times and places called by the chairman.~~

3     **SECTION 8. AMENDMENT.** House Rule 601 is amended as follows:

4     **601. Report of committees.**

- 5     1. The report of a committee must provide for one or more of the following  
6       recommendations with respect to the bill or resolution: do pass, do not pass, be  
7       amended, be rereferred to another committee, or be placed on the calendar without  
8       recommendation. However, when a committee fails to adopt any of the above  
9       recommendations due to the lack of a majority, the chairman shall report the bill to the  
10      floor with whatever minority reports individual committee members may request in  
11      accordance with House Rule 602.
- 12    2. During the fifth order of business, the Chief Clerk shall announce that committee  
13      reports have been received, if such is the case, and shall list the bill or resolution  
14      number, or other identifier, and state the accompanying committee recommendation. If  
15      the committee report is divided pursuant to House Rule 602, the Chief Clerk shall  
16      announce the majority and minority report, or reports, as well.
- 17    3.    a. If the committee report is for amendment, the proposed amendment must be  
18           placed on the calendar ~~for the next legislative day on the sixth order of business.~~  
19           ~~After the fifty-fifth legislative day, the proposed amendment must be placed on-~~  
20           ~~the calendar~~ on the sixth order of business immediately after the report of the  
21           committee is received. On sixth order, the Speaker shall announce that without  
22           objection, the proposed amendments on the sixth order are deemed approved. If  
23           any member objects to a proposed amendment being approved with other  
24           proposed amendments, that amendment must be voted on as a separate item.
- 25        b. No action may be taken on an amendment until a verbatim copy of the  
26           amendment has been distributed to each member; provided, that on a two-thirds  
27           vote of the members-elect, this may be suspended, and the amendment acted on  
28           immediately after the report of the committee.
- 29        c. If the amendment is adopted by a majority vote of the members present, the  
30           amended measure must then be placed on the calendar ~~for the next legislative-~~  
31           ~~day~~ under the applicable order of business for second reading and final passage  
32           except as provided in subdivision e or g.

- 1 d. If the amendment is rejected, the measure without amendment must be placed  
2 on the calendar ~~for the next legislative day~~ under the applicable order of business  
3 for second reading and final passage except as provided in subdivision e ~~or g~~.
- 4 e. If the committee report is for amendment and then rereferral to another  
5 committee, the measure must be rereferred to the appropriate committee after  
6 adoption or rejection of the amendment. If, after adoption or rejection of the  
7 amendment, a measure is subject to rereferral under House Rule 329, the  
8 measure must be rereferred to the Appropriations Committee, regardless of  
9 whether the report provides for rereferral.
- 10 f. If the committee report does not recommend rereferral to another committee but  
11 recommends that the measure pass, do not pass, or makes no recommendation,  
12 the measure must be placed on the calendar ~~for the next legislative day~~ under  
13 the applicable order of business for second reading and final passage ~~except as~~  
14 ~~provided in subdivision g~~.
- 15 g. ~~On motion~~ Except as provided under subdivision e, a measure must be placed on  
16 the calendar for second reading and final passage immediately after action is  
17 taken on the amendment. ~~If the committee report recommends that the measure~~  
18 ~~be placed on the calendar for second reading and final passage immediately~~  
19 ~~after action is taken on the amendment, the measure must be placed on the~~  
20 ~~calendar for second reading and final passage immediately after the amendment~~  
21 ~~is adopted. After the thirty-second legislative day all House bills, and after the~~  
22 ~~fifty-fifth legislative day all measures, must be placed on the calendar for second~~  
23 ~~reading and final passage immediately after action is taken on the amendment. A~~  
24 ~~measure placed on the calendar under this subdivision may be acted on~~  
25 ~~immediately after placement on the calendar.~~
- 26 h. A report for amendment must be approved as to form and style by the Legislative  
27 Council staff. When a report for amendment is received by the Chief Clerk  
28 without a notation that the report was approved as to form and style by the  
29 Legislative Council staff, the Chief Clerk immediately shall cause that report to be  
30 delivered to the Legislative Council office with a request that the report be  
31 examined and receive a notation approving its form and style.

- 1       4. If the committee report is divided as provided in House Rule 602, the reports must be  
2 placed on the calendar ~~for the next legislative day~~ on the seventh order of business.  
3 The Speaker shall receive and announce a motion that the report of the minority be  
4 substituted for the majority committee report. If the minority report is adopted, that  
5 report is substituted for the majority report and must be placed on the calendar on the  
6 eleventh or fourteenth order of business. If the minority report is not adopted, the  
7 majority report is deemed adopted and must be placed on the calendar on the  
8 eleventh or fourteenth order of business. If a "do not pass" report is adopted under this  
9 subsection, the measure must be placed on the calendar on the eleventh or fourteenth  
10 order of business. If no report is adopted under this subsection, the measure must be  
11 placed on the calendar on the eleventh or fourteenth order of business unless the  
12 measure is subject to rereferral under House Rule 329.
- 13       5. ~~The~~ If practicable, the Chief Clerk shall ensure that the daily calendar contains  
14 appropriate notation of committee reports.

15       **SECTION 9. AMENDMENT.** Joint Rule 202 is amended as follows:

16       **202. Receding before conference.** Either house may recede from any subject matter of  
17 difference existing between the two houses at any time before a conference whether the papers  
18 on which difference has arisen are before the house receding formally or informally, and a  
19 majority of the members-elect governs, except in a case where two-thirds of the members-elect  
20 is required by the Constitution, and the question having been put and lost, may ~~not~~ be again put  
21 the same day, and the consideration thereof in other respects is regulated by the rules of the  
22 respective houses.

23       **SECTION 10. AMENDMENT.** Joint Rule 207 is amended as follows:

24       **207. Consideration of items on consent calendar.**

- 25       1. ~~No item on the consent calendar may be considered for adoption on the same-~~  
26 ~~legislative day it is placed on the consent calendar.~~
- 27       2. Bills or resolutions on the consent calendar are not debatable, except that the  
28 presiding officer shall allow a reasonable time for questions from the floor and shall  
29 permit the proponents of the bills or resolutions to answer the questions.
- 30       ~~3-2.~~ The question of the final passage of more than one item contained on the consent  
31 calendar may be voted on in a single vote if the vote is on either bills or resolutions  
32 and not on any combination thereof in the same vote.

1     ~~4.3.~~ Immediately before voting on the first consent calendar bills or resolutions, the  
2             presiding officer shall call to the attention of the members the fact that the next vote  
3             will be the vote on the bills or resolutions on the consent calendar. A recorded roll call  
4             vote is necessary on items on the consent calendar only if a recorded roll call vote is  
5             required under Senate or House Rule 340.

6             **SECTION 11. AMENDMENT.** Joint Rule 208 is amended as follows:

7             **208. Introduction of executive agency and Supreme Court bills.** Each executive agency  
8             and the Supreme Court shall file with the Legislative Council those bills they wish to have  
9             introduced ~~no later than the close of business on the day after the adjournment of the~~  
10            ~~organizational session. Each. Upon approval by the appropriate Delayed Bills Committee, each~~  
11            bill is deemed introduced by the standing committee of the House or Senate with general  
12            jurisdiction over the subject matter of the bill; but if the filing entity receives the approval of a  
13            legislator to sponsor the bill, that bill is to be introduced by the legislator rather than by the  
14            standing committee. A bill sponsored by a legislator may not have more sponsors than the  
15            number allowed under Senate and House Rules 401. The director of the budget shall file with  
16            the Legislative Council those bills making appropriations to implement the budget  
17            recommended by the Governor no later than the close of business on the seventh day after the  
18            adjournment of the organizational session, as required by North Dakota Century Code Section  
19            54-44.1-07, and those bills are deemed introduced by the Appropriations Committee of the  
20            Senate or House at the request of the Governor. The bill implementing the budget request of  
21            the judicial branch is deemed introduced by the Appropriations Committee of the Senate or  
22            House at the request of the Supreme Court, and the bill implementing the budget request of the  
23            legislative branch is deemed introduced by the Appropriations Committee of the Senate or  
24            House at the request of the Legislative Council. The Legislative Council shall number and  
25            deliver bills filed under this rule to the appropriate house for recording. Each bill introduced  
26            under this rule must be identified by noting the name of the agency or the court under the name  
27            of the sponsoring committee or legislator. The identification of a bill introduced by a standing  
28            committee may include the names of not more than five entities authorized to file bills under this  
29            rule.

30            **SECTION 12.** Joint Rule 303 is created as follows:

31            **303. Joint Legislative Redistricting Committee.** A Joint Legislative Redistricting  
32            Committee must be appointed during any legislative session during which the issue of

1 legislative redistricting is addressed. The committee consists of sixteen members, eight from the  
2 House and eight from the Senate, appointed in the same manner as the members of other  
3 standing committees are appointed. The first-named member from each house is cochairman of  
4 the committee. The presiding officer shall refer to the Joint Legislative Redistricting Committee  
5 all bills and resolutions relating to redistricting or reapportionment of legislative districts. The  
6 committee shall first meet at the call of the Senate cochairman and the chairmanship of each  
7 meeting thereafter alternates between the cochairmen. Members of the committee are excused  
8 from attending a meeting of any other committee while they are attending a meeting of the Joint  
9 Legislative Redistricting Committee. The committee shall issue joint reports on the measures  
10 referred to it, with a report first being presented to the house having possession of the measure,  
11 and later presented to the other house if appropriate.

12 **SECTION 13.** Joint Rule 304 is created as follows:

13 **304. Joint Health Care Reform Committee.** A Joint Health Care Reform Committee must  
14 be appointed during a special session. The committee consists of nineteen members, fourteen  
15 from the House and five from the Senate, appointed in the same manner as the members of  
16 other standing committees are appointed. The first-named member from each house is  
17 cochairman of the committee. The presiding officer shall refer bills and resolutions relating to  
18 federal health care reform to the committee. The committee shall first meet at the call of the  
19 House cochairman and the chairmanship of each meeting thereafter alternates between the  
20 cochairmen. Members of the committee are excused from attending a meeting of any other  
21 committee while they are attending a meeting of the Joint Health Care Reform Committee. The  
22 committee shall issue joint reports on the measures referred to it, with a report first being  
23 presented to the house having possession of the measure, and later presented to the other  
24 house if appropriate.

25 **SECTION 14. AMENDMENT.** Subsection 4 of Joint Rule 501 is amended as follows:

- 26 4. a. The agency or department preparing the fiscal note shall return the fiscal note  
27 along with the number of copies requested by the Legislative Council to the  
28 Legislative Council not later than ~~five days~~one day from the date of the request.
- 29 b. The Legislative Council shall retain three copies, shall provide one copy to the  
30 Office of Management and Budget, shall provide one copy to the Governor, and  
31 shall deliver the remaining copies to the Secretary of the Senate or the Chief  
32 Clerk of the House. Of those copies, one copy must be attached to the original



1 bill or resolution, one copy must be filed with the Bill Clerk of the house wherein  
2 the bill or resolution originated, one copy must be provided to the presiding officer  
3 of the Senate, one copy must be provided to the presiding officer of the House,  
4 and the remaining copies must be distributed as directed by the Secretary of the  
5 Senate or the Chief Clerk of the House, as appropriate.